REMARKS

In response to the Office Action mailed September 12, 2006, Applicant submits the following amendments and remarks and requests reconsideration thereof. In this Amendment, Applicant amends the specification and claim 1. Claims 14-20 are cancelled.

Amendments to the Specification

Applicant amends paragraphs 0006 and 0007 to use the trademark CLEAN SHOPPER as an adjective, not a noun. Paragraph 0036 is amended to reflect that the device is a BLACKBERRY brand device. Finally, paragraph 0037 is amended to address the objection to the drawings as noted below. No new matter is presented by these amendments and the Examiner is respectfully requested to enter them.

Objection to the Drawings

The Examiner objects to the drawings citing that the numerals "418", "420", and "422" are not shown in Fig. 1. Applicant respectfully notes that these numerals are shown in Fig. 4 in the application as filed and that the portion of the specification the Examiner cites is not limited to a description of Fig. 1. For the record, the invention is not limited to the components depicted in the figures. Nevertheless, to advance this application to allowance, Applicant amends paragraph 0037 to refer to Fig. 4 which shows these numerals. Therefore, Applicant respectfully requests that this objection be withdrawn.

§103 Rejections Citing Poitevin and Conn

The Examiner rejects claims 1-10 and 12-13 under 35 U.S.C. §103(a) citing U.S. Patent No. 4,807,319 to Poitevin ("Poitevin") in view of U.S. Patent No. 3,854,054 to Conn ("Conn"). The Examiner acknowledges that while Poitevin fails to disclose the claimed element of a plurality of sensors and a processor for activating a delivery source, the Conn reference does, and therefore this feature of Applicant's invention would be obvious to one of ordinary skill in the art. Applicant respectfully traverses this rejection.

To render a claim obvious, the reference or references must teach or suggest all the claimed limitations. Further, it is improper to combine references where the references teach away from their combination.

Independent claim 1 now recites:

> "a system for sanitizing a shopping cart, comprising:
> a fluid delivery source for providing a fluid; a plurality of nozzles for receiving said fluid and ejecting said fluid, said plurality of nozzles being positioned in multiple sets of a plurality of nozzles, where each set the plurality of nozzles is directed to provide said fluid to the centermost area of an enclosure; a conveyor belt system for conveying a shopping cart form a first end of the enclosure to a second end of said enclosure, said conveyor belt system comprising a conveyor belt in communication with a conveyor belt motor for use in moving the conveyor belt, said conveyor belt for transporting the shopping cart thereon; a plurality of sensors for providing a signal indicative of the position of said shopping cart in said enclosure; and a processor controlling said conveyer belt system for receiving said sensor signal and activating said delivery source in accordance with the position of said shopping cart and adjusting the movement of the conveyer belt based on information received from the sensors."

No new matter is added by these amendments.

Conn does not disclose a processor controlling a conveyer belt system. Therefore, not all of the claim limitations are taught and claim 1 is not obvious in view of these two references.

Moreover, Conn actually teaches away from a processor controlling a conveyer belt. Notably, Conn teaches a means to sense the car's movement and location on the conveyer belt in order to energize the water nozzles before the car is aligned with the nozzles. See column 2,

lines 47-68 and column 3, lines 1-15. This is done to bring the nozzles to full power before the car comes in contact with the water stream. Conn must bring the nozzles to full power before the car comes in contact with the water stream because, unlike Applicant's device, Conn's processor has no control over the conveyer belt. Rather, the processor disclosed by Conn appears only to control the water nozzles themselves, not the conveyer belt.

Moreover, starting the water nozzles early in this manner wastes water and energy used to run the nozzles. Moreover, this disclosure in Conn teaches away from Applicant's invention as claimed, and as such, the obviousness rejection is improper on this ground as well. Therefore, Applicant respectfully requests the Examiner to withdraw this rejection.

Dependent claims 2-10 and 12-13 all depend from independent claim 1 and therefore include the elements of claim 1. As such, these claims are also not obvious in light of Poitevin and Conn for the reasons set forth above and the Examiner is respectfully requested to withdraw these rejections as well.

§103 Rejections Citing Poitevin, Conn , Thornton or Pulliam

Finally, the Examiner rejects claim 11 under 35 U.S.C. §103(a) as being obvious in view of Poitevin and Conn and further in view of U.S. Patent No. 3,444,867 to Thornton ("Thornton") or U.S. Patent No. 3,698,029 to Pulliam ("Pulliam"). Again, in order to be obvious, the reference or references must teach or suggest all recited limitations.

The Examiner acknowledges that neither Poitevin nor Conn disclose a conveyer belt with radial positioned ribs to contact the cart. However, the Examiner argues that either Pulliam or Thornton disclose this feature and as such, the invention as claimed in claim 11 would be obvious to one of ordinary skill in the art.

Claim 11 depends from claim 1 and therefore includes the limitation relating to the processor controlling the conveyer belt system. This feature not taught in Poitevin or Conn as

described above and, as noted above Conn actually teaches against this feature. Further, neither Thornton nor Pulliam disclose this feature. As such, claim 11 is not obvious in view of these references, or any other prior art of record and the Examiner is respectfully requested to withdraw this rejection as well.

CONCLUSION

In view of the foregoing, it is believed that claims 1-13 are in condition for allowance. A Notice of Allowance if earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at 602-382-6389.

If necessary, the Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 1928-14 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

Dated: 12/11/06

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